

**Meeting Summary**  
**Otay Ranch POM PMT Meeting**  
276 Fourth Avenue, Building 300 (Public Services North)  
Human Resources Training Room  
Chula Vista, CA 91910

January 23, 2009  
2:00 – 4:00 pm

**Approved by POM PMT on 05/13/09**  
**Motion to approve by City of Chula Vista/GARY HALBERT**  
**Motion Seconded by County of San Diego/CHANDRA WALLAR**  
**Motion carried.**

**ATTENDEES:**

**City of Chula Vista**

Gary Halbert, Deputy City Manager  
Jill Maland, Deputy City Attorney  
Marisa Lundstedt, Principal Planner  
Josie McNeeley, Associate Planner  
Amy Partosan, Administrative Analyst

**County of San Diego**

Chandra Wallar, Deputy Chief Administrative Officer, Land Use & Env. Group  
Mark Mead, County Counsel  
Renée Bahl, Director, Department of Parks and Recreation (DPR)  
Trish Boaz, Chief, DPR  
Larry Duke, District Park Manager, DPR  
LeAnn Carmichael, Planning Manager, Department of Planning and Land Use  
Cheryl Goddard, Land Use Environmental Planner, DPR

**Public**

Amber Himes, U.S. Fish and Wildlife Service  
Libby Lucas, CA Department of Fish and Game  
Tom Tomlinson, McMillin Companies  
Rikki Schroeder, RMA for McMillin Companies  
Kim Kilkenny, Otay Ranch Company  
Rob Cameron, Otay Ranch Company  
Curt Noland, Otay Land Company  
Michael Beck, Endangered Habitat League  
Bruce Hanson, EDAW

Agenda Item Numbers noted in parentheses

**1. Call to Order**

**(I.)** Meeting called to order at 2:08 pm by County of San Diego/CHANDRA WALLAR. Typically the (Preserve Management Team) PMT representative in which the meeting is hosted chairs the meeting, however, since today is City of Chula Vista/GARY HALBERT'S first meeting, HALBERT has asked WALLAR to chair the meeting.

MICHAEL BECK asked when HALBERT accepted a position with the City of Chula Vista.

HALBERT stated right before Thanksgiving time.

RIKKI SCHROEDER asked HALBERT for a short introduction.

HALBERT introduced himself as the Deputy City Manager/Development Services Director for Chula Vista. The City went through a recent reorganization where planning and building, housing, economic development, and land development engineering are now under one department.

- 2. (II.)** HALBERT motioned to approve the meeting minutes. Motion seconded by WALLAR. Motion carried.

**3. Public Comment on items not related to Agenda**

**(III.)** WALLAR opened and closed with no comment.

**4. Status Report**

**(IV.A.1)** City of Chula Vista/JOSIE MCNEELEY reported on future infrastructure as an outstanding issue holding up pending conveyances. There are approximately 114 acres pending conveyance due to future infrastructure. This includes 41 acres offered by Brookfield Shea and 73 acres offered by Otay Ranch Company. At the last Policy Committee meeting, staff was directed to schedule a mediation session. The mediation session is scheduled for February 25<sup>th</sup>. Upon completion of that process we will report back to the PMT and hopefully will have resolution to that issue.

**(IV.A.2)** MCNEELEY reported on access through other Public Agency lands as the second issue holding up pending conveyances. There are 606 acres pending conveyance due to access issues. Pursuant to the RMP, developers are required to provide legal access to conveyed lands to the POM. Currently 376 acres offered by Otay Ranch Company and 230 acres offered by McMillin Companies is affected by this issue. The existing roads needed to access those properties cross Fish and Game parcels and City of San Diego Water Department lands. POM staff is working with the developers as well as coordinating with those public

agencies to identify a process to obtain recorded easements through those parcels. Staff has spoken with Tim Dillingham, Fish and Game, to initiate a temporary right of entry for the interim and will concurrently apply for a recorded easement through Fish and Game lands. Staff will work on the applications needed to initiate those procedures.

WALLAR asked if obtaining the temporary right of entry will allow the POM to accept the dedications of conveyance lands.

MCNEELEY stated that is correct. POM staff is working with Fish and Game on that process. For lands within the City of San Diego, POM staff will work with Otay Ranch Company and McMillan Companies to process that right of entry permit. There is more involvement with these lands. POM staff is working to see if fees can be waived with the City of San Diego.

WALLAR stated that POM staff should inquire if the City of San Diego has any flexibility in waiving fees or reducing costs if the right of entry is issued for a government agency to another government agency versus a government agency to a developer.

HALBERT said that the City of San Diego cannot waive the fees however the City of San Diego Water Department may be able to cover those fees. POM staff should inquire about this.

ROB CAMERON said that this is helpful. Originally, the City of San Diego wanted the developers to purchase the access rights. This is not an option as the access would lead to preserve lands only. It is helpful to have alternative options.

MCNEELEY stated that POM staff has made contact with all the right people. The Working Group suggested speaking with City of San Diego MSCP staff and that has been done. POM staff has also spoken with City of San Diego Water Department staff. It is a matter of getting the real estate folks in line.

**(IV.B)** County of San Diego/CHERYL GODDARD reported on future POM alternatives. To provide background, the Otay Ranch Preserve Joint Powers Agreement (JPA) implements the current POM structure. The JPA and Phase 2 Resource Management Plan (RMP) state that the JPA is to be reviewed every 5 years. The PMT and the Policy Committee, at their last meetings directed POM staff to explore future POM alternatives and the pros/strengths and cons/risks of each. These are discussed in the white paper included as a handout.

GODDARD stated that POM staff looked into the following POM alternatives: Existing POM; USFWS manages lands east of Otay Lakes and within the NWR boundary/Determine appropriate POM for remainder of conveyed preserve lands; Third Party POM; and two options for Jurisdictional POMs. Option 1 would have each jurisdiction be responsible for implementing POM tasks and responsibilities as outlined in the RMPs on conveyed preserve land within their respective jurisdiction and Option 2 would have each jurisdiction be responsible for implementing POM tasks and responsibilities as outlined in the RMPs on conveyed preserve land associated with a development project within their respective jurisdiction.

GODDARD outlined each POM alternative. The Existing POM is implemented by the JPA; County and City have joint responsibilities for management and monitoring of the Preserve; JPA establishes the PMT and the Policy Committee; Funding is collected through CFDs or similar funding mechanism; Currently, because all the development has occurred within the City's jurisdiction and the County is responsible for management and monitoring of the Preserve, the County invoices the City for administrative, operational, and monitoring tasks. A description of the alternative for USFWS to manage lands east of Otay Lakes and within the NWR boundary/Determine appropriate POM for remainder of conveyed preserve lands includes that per the "Baldwin Agreement" USFWS agreed to have lands east of Otay Lakes and within the NWR boundary transferred to them; These lands total ~6,200, of which ~1,100 acres are currently owned and/or being managed by USFWS or CDFG; USFWS will be relieved of RMP obligations; Funding for management and monitoring of the transferred lands will be at no cost to Otay Ranch projects; County and City to determine appropriate POM for remainder of conveyed preserve lands; Funding source for the remainder lands is identical to the existing POM structure which would be a CFD or similar funding mechanism.

GODDARD continued with the POM alternative backgrounds. The Third Party POM would be responsible for all POM tasks, i.e. resource protection, monitoring and management, environmental education, research, recreation, and enforcement activities. Funding source identical to existing POM structure except Third Party POM to invoice the City and the County (once development has been built in the unincorporated County) for operational, management, and monitoring costs. For Jurisdictional POM - Option 1, the Preserve would be divided based on jurisdictional lines; County and City responsible for implementing RMP tasks and insuring POM responsibilities are completed for all conveyed preserve lands within their respective jurisdiction; Funding source identical to existing POM structure; County and City will need to come to

agreement on a per acre rate for management and monitoring costs of conveyed preserve lands (rates to vary based on location and specific management and monitoring needs). For Jurisdictional POM – Option 2, County and City will be independent POMs to conveyed preserve lands associated with development projects within their respective jurisdiction; Conveyed lands must be managed and monitored in accordance to the jurisdiction's MSCP Subarea Plan in which the land is located; City to fund RMP tasks through CFD97-2; and the County to establish a CFD or similar funding mechanism to fund RMP tasks once development projects are built within the unincorporated County.

GODDARD stated that POM staff drafted pros/strengths, cons/risks, and feasibility questions for each alternative. These have been included as a table in the white paper handout. It is POM staff's recommendation that the PMT support the recommendation to the Policy Committee to direct POM Staff to meet with the Wildlife Agencies, both regulatory and land management divisions, to obtain their feedback on the POM Alternative descriptions, pros/strengths, and cons/risks of each alternative; outline implementation steps needed to execute each alternative; draft estimated timelines to execute each alternative; and discuss the outcomes for the items listed above with the PMT and Policy Committee at their next regularly scheduled meetings.

WALLAR stated POM staff is exploring future POM alternatives because the current JPA is a two-party JPA. This becomes awkward in different scenarios such as the PMT and/or Policy Committee members cannot discuss POM agenda items due to Brown Act requirements. This limits communication. Also, if there is a disagreement on how to manage the Preserve, there is not an easy way to break or resolve the issue because there are only two JPA members. Therefore the PMT and the Policy Committee have asked staff to explore other POM alternatives to see if we can keep the same mitigation and preservation requirements with a different POM structure.

LIBBY LUCAS asked which organizations were interviewed in 1995 as a part of the original Third Party POM interviews. The white paper states "in 1995 after completing interviews for a Third Party POM, the County and the City determined that that role of the POM needed to be better defined and that the cost of operating the preserve needed to be more precisely calculated. It was further concluded that none of the candidates, acting alone, demonstrated the range of skills and experience necessary to permanently perform the POM function." LUCAS wanted to know if there has been a change over within those organizations since 1995.

SCHROEDER stated that there is now more land management experience and interest than there was in 1995. There is more than 10 years that have gone by. There may be different results this time around if Third Parties are interviewed as the POM for the Preserve.

BECK asked if there is a statutory time limit driving the POM alternative process as the JPA requires a review every 5 years.

WALLAR stated no. It is just the desire of the Policy Committee to explore other POM structures.

BECK asked for clarification on the Third Party alternative. Is the Third Party alternative being passed over based on interview outcomes in 1995?

GODDARD stated no. The information included in the white paper provided historical data of what happened when the City and County interviewed third parties back in 1995.

County of San Diego/RENÉE BAHL stated that at the last Policy Committee meeting, Deputy Mayor Rindone offered that the Third Party POM was not his embraced option and the County did not object to that. At this time, County staff has been instructed not to spend too much time on this option as Deputy Mayor Rindone indicated it was not his embraced option.

WALLAR stated that Deputy Mayor Rindone did make the comment that the Third Party POM was not his preferred option as there was enough issues with the two jurisdictions and adding a third party on top of that would add more complications.

AMBER HIMES stated that the Wildlife Agencies don't necessarily agree with Deputy Mayor Rindone's position. The Agencies ask that this alternative be looked at and explored just as the other alternatives are being explored.

WALLAR stated that this decision can be made by the Policy Committee.

HALBERT stated that looking at all the alternatives is not inconsistent with POM staff's recommendation.

City of Chula Vista/MARISA LUNDSTEDT stated that Deputy Mayor Rindone did state he was not in favor of a Third Party POM however he did not take it off the table as an alternative.

WALLAR agreed. However, it merits a comment at the Policy Committee meeting to recap what was said by the previous City Policy Committee representative. As mentioned by HALBERT it isn't inconsistent with the current recommendation.

HIMES agreed with LUNDSTEDT in that Deputy Mayor Rindone did not take Third Party POM off the table for discussion and it should be explored along with the other alternatives.

LUCAS also agreed that each alternative should be looked at equally.

KIM KILKENNY stated that his organization has supported over the last 14 or 15 years that the property east of the lakes should be transferred to the Wildlife Services and they continue to honor that commitment made in the Baldwin Agreement. In terms of the recommendation, KILKENNY requests that POM staff meet with property owners and other interested stakeholders in addition to the Wildlife Agencies to obtain their input on the POM alternatives.

WALLAR agreed to include the property owners and other interested stakeholders.

HALBERT also agreed.

KILKENNY stated that his organization has always been attracted to that option so he hopes it remains on the table.

WALLAR stated that it will be good once Councilmember McCann joins the Policy Committee so that he can provide his input.

HALBERT stated that the third party option doesn't necessarily have to be a stand alone option. It could be incorporated into one of the other options.

SCHROEDER stated that the third party option could be an option within an option and it would provide for someone who could respond to both jurisdictions and they can report back their on-the-ground findings.

BECK asked if there would be a timeframe for the research and investigation portion of this process.

MCNEELEY stated that POM staff can try and coordinate a meeting with the Wildlife Agencies prior to the next PMT meeting. The PMT and Policy Committee meetings are held quarterly so the next PMT meeting is anticipated to be held in March or April.



WALLAR asked if there is a specific action required of the PMT.

GODDARD stated that the PMT may make a motion to support POM staff's recommendation with amendments.

HALBERT made a motion to support POM staff's recommendation with the amendment that POM staff report back to the Policy Committee in April.

SCHROEDER asked if the PMT's recommendation includes directing staff to meet with the property owners and other stakeholders in addition to the Wildlife Agencies to obtain input.

HALBERT stated yes.

LUNDSTEDT asked that the recommendation further be modified to have POM staff report back to the PMT in April before taking it to the Policy Committee.

WALLAR agreed and seconded the amended motion. The motion carried.

## **5. Finance**

**(V.A.)** MCNEELEY provided an update on the FY08-09 budget. The beginning FY08-09 Fund Balance was \$378,274. The estimated budget for FY08-09 is \$505,500. The City went to levy for the maximum amount of \$510,339 for FY08-09. The first tax bill installment was due on December 10<sup>th</sup>. The County transferred approximately \$213,000 to the City as its first installment. At face value, this is less than half of what was projected for the first installment.

HALBERT asked for clarification. The \$213,000 is less than half of what was projected for the total levy amount not what was projected for the first installment.

MCNEELEY stated yes. A delinquency rate has been factored into the 5-year budget projection table. It is critical to consider that the City has just received the first installment funds and it is early in the collection. In discussion with the City's finance staff, the City will be receiving funds from the County through the second installment date of April 10<sup>th</sup>. The \$213,000 will increase over the time being. The County expressed a concern that the current delinquency rate as indicated by the first installment total be used in the 5-year budget projection. The \$213,000 first installment total is an initial number and is a preliminary number. City POM staff will work with its finance staff and coordinate with the County of



San Diego to update the installment total collected through property taxes. Penalties are added to late payments. If there are liens placed on homes and it is purchased, the new owner pays for the liens including past due tax bills. POM staff will continue to update the numbers. As the second installment date gets closer, City staff will provide the collection numbers to the County and will factor in that delinquency rate in the 5-year budget forecast.

WALLAR stated that there is a concern since the first installment collection is typically the larger of the two collections. Based on the numbers provided, if the first collection total is simply doubled, there would be an approximately 20% delinquency rate. Staff will need to watch this carefully and on the County's end will need to watch the expenditures. WALLAR stated she is very concerned. On the County's end, the County does not believe the delinquency rate will decrease, it will likely increase. The POM will need to be on top of the delinquency rate.

MCNEELEY stated she agreed and that the City has the same concern. City staff is coordinating with their finance staff but that it is early. MCNEELEY agreed that the first installment is typically the larger of the two so staff will track the numbers closely. As the second installment approaches, staff will determine if the delinquency rate indicates an increase or if it will remain the same. City staff has considered a delinquency rate in the 5-year budget forecast as well as in the current fiscal year budget. POM staff has looked at the current year budget and has identified potential rollover funds that have not been expended this year or have been encumbered in a contract. POM staff has met with the Working Group to discuss how those funds can potentially be used. POM staff will need to review the current expenditures and the projections for the next two quarters and see where we stand with the budget. City staff is aware of the risk of going over the potential budget and the possibility that the budgeted amount of \$505,500 may not be collected. City staff will revisit the numbers and provide them to County staff and then we can sit down with the Working Group to re-evaluate how the funds can be used and tasks reprioritized. It is clear that this room understands the current state of the economy.

WALLAR stated that the POM would like to expend as much money as it can for the Preserve without going over budget and that can be a difficult thing to do.

MCNEELEY stated the County's concern is duly noted.

HIMES asked if the December 10<sup>th</sup> and April 10<sup>th</sup> tax bill installments are to be used for the FY 08-09 budget.

MCNEELEY stated yes.

HIMES clarified that the \$505,500 was not collected at the beginning of the fiscal year.

MCNEELEY stated yes. The second tax bill installment is due on April 10<sup>th</sup>. Expenditures to date total \$69,933. Additional expenditures are expected before the end of FY 08-09. Essentially those costs entail cost time. Staff has spent time on conveyance issues like future infrastructure with a scheduled mediation set for February. It also includes the cost for the park ranger. It is anticipated that the remainder of the budget will include staff time and costs for the park ranger. Although the expenditures to date are low, Dudek has completed tasks associated with the original contract and are in the process of completing tasks for the spring. Contract payment is based on deliverables and once the deliverables are accepted, payments will be made.

WALLAR asked if there will be a slide showing projected expenditures for the full fiscal year.

MCNEELEY stated that such a slide can be added for the next PMT meeting. POM staff will need to sit down to identify any roll over funds. MCNEELEY stated that prior to receiving the collection amount for the first installment, POM staff met with the Working Group and reviewed the current budget. Funds that were not expected to be expended or tied to an existing contract were identified. This totaled \$340,000. As expressed earlier, this amount will need to be re-evaluated. POM staff met with the Working Group on December 17<sup>th</sup> and January 5<sup>th</sup> which were right before and after the holidays. At the Working Group meetings, POM staff identified approximately \$340,000 that may potentially be reallocated for other priority tasks. The tasks and their associated costs are as follows: Surveying of an additional 286 acres of suitable CAGN habitat (\$10,000); Spring floral survey (\$15,000); Quino survey (\$56,000); Two additional Herp survey sessions (\$8,200); Cultural surveys San Ysidro parcel (\$25,000); On-going biological surveys (\$65,000); Updated RMP/Preserve Biologist (\$100,000); and As-needed management and monitoring (\$60,800). The tasks are primarily to complete baseline surveys. It also identifies tasks associated with the Short-term Management Plan for the lands currently under POM ownership that includes the San Ysidro parcel and the Otay Valley parcel. In addition, there are on-going management tasks identified for lands under POM ownership. Through Working Group input, a need for a Preserve Biologist was identified to do day-to-day monitoring and to determine if there are needs for non-native invasive removal or needs for restoration due to burns, that was factored at \$100,000. The remaining \$60,800 was allotted

for as-needed management and monitoring tasks. As we review this list, it must be emphasized that POM staff will review the numbers and identify a more realistic number that covers the remaining budget for this fiscal year and then regroup with the Working Group to prioritize tasks.

WALLAR asked if the tasks shown on the slide are in any priority order.

MCNEELEY stated that essentially they are listed from highest to lowest priority. The first four bullets are related to the completion of baseline data which, with input from the Working Group, is information we need to obtain; the cultural survey is a priority 1 task listed in the Short-term Implementation Plan; and then the on-going monitoring was recommended by the Working Group.

WALLAR asked if the County agrees with the prioritization order.

GODDARD stated yes. The County agrees that the tasks are listed from highest to lowest priority as shown on the PowerPoint slide. GODDARD noted that the Preserve Biologist is proposed at \$100,000. This amount was based on the current fiscal year budget in which POM staff anticipated approximately 1,000 acres to be conveyed to the POM by the end of the 2008 calendar year. This acreage was not conveyed and so the \$175,000 allotted for baseline surveys of the new conveyance lands has not been expended. The \$100,000 is considered more of a one-time fund and a position for a Preserve Biologist has not been built in the budget for future fiscal years.

HALBERT asked if the budget had a shortfall of \$100,000, would the Preserve Biologist be eliminated to cover the shortfall.

MCNEELEY stated that POM staff envisions having an opportunity to revisit with the Working Group to reprioritize tasks. The Working Group provides valuable input and at the last meeting it was identified that a Preserve Biologist is needed. Our current contract has our consultant completing baseline surveys which are very focused, per the recommendation of the Working Group, specifically the Wildlife Agencies, it is very important to have a Preserve Biologist on-the-ground.

HALBERT asked specifically in relation to the \$340,000. If there was a shortfall of \$100,000 would the Preserve Biologist be cut or would the entire budget be re-examined>

MCNEELEY stated that the entire budget would be re-examined.

HIMES asked for clarification regarding “On-going biological surveys, Updated RMP/Preserve Biologist, and As-needed management and monitoring”. HIMES understands Updated RMP to be someone sitting in front of a computer and updating the RMP to today’s conditions but that the Preserve Biologist, on-going biological surveys, and as-needed management seem like the same exact thing. So if we need to re-examine the budget those would be the tasks that we could massage. For example, if there was a \$100,000 shortfall, but there was an identified need for invasive removal, the POM can take \$20,000 and see how many treatments can be done. There is an easy way to break down the costs.

MCNEELEY stated that the County and the City have identified the line item for an Updated RMP/Preserve Biologist but that staff is still in the process of identifying what tasks the biologist will be. The City would like to see a Preserve Biologist that is out on the grounds doing observations. This position would be counterpart to the Wildlife Service land manager, John Martin, and Fish and Games Tim Dillingham. It is someone who would be knowledgeable about current preserve conditions and report back their observations. It would be someone who is out on the grounds on a regular basis.

LUNDSTEDT stated that the City would like to get things completed on the ground. That is the City’s priority. Policy documents should be completed in-house with staff with the assistance of the biologists in regards to protocol where their expertise is most valuable. There will be cost savings if staff completes policy documents and delegate as much as the POM can for someone on the ground looking for things that need to be tracked.

CAMERON stated that the FY09-10 Budget proposes a full-time ranger for the Preserve. Is a full time ranger needed if a Preserve Biologist is on-site?

LUNDSTEDT stated that with the current conveyance condition, the half-time park ranger is good to have for patrolling and to check for trespassing and fence conditions. POM staff has agreed that a full-time park ranger is not needed until we reach a threshold as shown in footnote 7 of the proposed FY09-10 budget. POM staff did have the discussion and didn’t want to assume the full-time ranger is needed at the start of the fiscal year unless we could demonstrate that the need is there. POM staff agreed that the need would be there if an additional 700 acres is conveyed to the POM. This provides assurance that if additional acreage is not conveyed to the POM that the extra money allotted for a full-time ranger could be diverted back to the Preserve biologist or other resource management tasks.

WALLAR stated that she appreciates staff's and the Working Group's efforts in prioritizing tasks. The PMT will need to make recommendations to the Policy Committee and the Policy Committee may adopt those recommendations. WALLAR is concerned about the \$100,000 for the Preserve Biologist. Most of the tasks listed require one-time funding. A Preserve Biologist, like the ranger, is an on-going cost.

LUNDSTEDT stated that MCNEELEY will discuss budget projections under the 5-year budget. The 5-year is a handy tool for everyone. The City asks that as the POM moves forward with budgeting that the POM pull money for an on-going biologist even if it is at half-time. It is important to have those types of eyes on the ground and the Wildlife Service has provided feedback and recommendations that support a preserve biologist. The City will strive to find money for a Preserve Biologist. Through the Working Group meetings, the Wildlife Agencies have identified tasks like vegetation mapping that is being completed by other agencies and will not need to be duplicated. This could be a cost-saving effort for the POM.

WALLAR stated that the POM needs to be cautious that the recommendation for a Preserve Biologist has associated on-going costs. The other items are one-time costs. POM staff needs to be cautious that this recommendation is not sold as a one-time cost since there are in fact associated on-going costs. The Policy Committee will need to be clear on the recommendation.

GODDARD stated that it should be noted that the POM currently only manages 1300 acres of the entire Preserve. From the County's perspective, when the \$100,000 was proposed for an Updated RMP/Preserve Biologist, the County envisioned an end product, that being an updated RMP to include Area Specific Management Directives (ASMDs). The ASMDs would describe the current condition of the preserve in its entirety and the POM could adjust management and monitoring priorities as-needed. The County focused this to be a one-time task so that the POM has an updated document. If the County and the City remain as the POM or if the Policy Committee chooses an alternative POM, the updated document will act as a tool in managing the Preserve. A Preserve Biologist will be valuable once the preserve assemblage has reached a certain threshold and lands are conveyed to the POM but that threshold has not been met with the 1300 acres.

WALLAR asked for clarification regarding "On-going biological surveys, updated RMP/Preserve Biologist, and As-needed management and monitoring". WALLAR asked what the benefits and costs are associated with each. What is being purchased or services completed? How do

these products and services complement or duplicate each other? There isn't enough information for the PMT to make a recommendation to the Policy Committee in regards to prioritizing the tasks.

GODDARD stated that the \$65,000 for the On-going biological surveys is to be used on the 1,300 acres the POM currently manages. Dudek is in the process of completing baseline surveys. They have completed summer surveys and will complete spring surveys this year. The on-going biological surveys will continue to track the condition of the sensitive species found on those lands. Again, that money will focus on the POM-managed lands. The \$100,000 for the Updated RMP/Preserve Biologist is meant to have a wider range in that it would be used to track the current condition of the entire preserve. It wouldn't necessarily focus on the POM-managed lands.

WALLAR asked for clarification on the \$100,000 and if the Preserve Biologist would be monitoring the entire Preserve.

GODDARD stated they would complete a baseline survey for the entire preserve to determine presence/absence of sensitive species. POM staff categorized the remaining \$60,800 as as-needed management and monitoring. This is basically contingency funds for any as-needed tasks such as the removal of identified non-native invasive species on POM-managed lands.

WALLAR state that those funds are basically contingency funds and if future tasks are identifies, then the money would come from those funds.

HIMES stated that it was her and Susan Wynn that proposed the Preserve Biologist. In their perspective, one of the current concerns for the Preserve is that there hasn't really been any active management. No one really knows what is going on with the 1,300 acres being managed by the POM and that is a big problem. A Preserve Biologist like John Martin for the Service or Tim Dillingham for Fish and Game is needed to say what tasks are needed to be completed in the Preserve. For example they can identify if there is arundo or tamarisk that needs to be removed, they could come up with a list of tasks for the Preserve. Right now there isn't anyone who can do that who is on the ground. The idea is to have someone on the ground walking around and noting on a GPS unit any invasive species they observe and requires removal. They can come back and spray and remove at a later date. They can also note any trails that are being created by illegal off-road vehicles. This person will have a better idea of what is happening on the ground. The Service doesn't envision this person being stuck behind a computer. Deliverables aren't necessarily the biggest thing for the Service. The Service wants to insure that the



Preserve is healthy and being managed instead of having pieces of paper telling us what's going on in one month's situational baseline. That's not as important to the Service as active management is.

KILKENNY stated that it's been his organizations goal to have a preserve that works on the ground. This means that we know that the habitat and species that are supposed to be conserved per the RMP and MSCP are being conserved or if they aren't being conserved there is early warning and we can hear recommendations on how to intervene. In that regard, Otay Ranch Company would also like clarification on the last three bullets on the slide. Otay Ranch Company is concerned about the amount of money being spent on administration, partially due to the fact that the POM is comprised of two entities and there are duplications and conflicts that arise. In regards to a full-time ranger, because of the remote location of the lands currently in POM ownership, a ranger is a less of a priority than having a Preserve Biologist out in the field who sees violation issues of the law but also can flag habitat and species issues as HIMES noted. Otay Ranch Company supports the concept of a Preserve Biologist. We continue to strongly oppose any money spent on cultural studies. It is not a requirement of the RMP and it was not anticipated by the RMP. Otay Ranch Company is not opposed to baseline surveys being completed for lands that are conveyed, however they don't need to be completed routinely and absolutely if there are other priorities. A Preserve Biologist could tell us if there are habitats and/or species at risk and the money should focus on them. Money can also be leveraged with grant programs with desirable outcomes for the Preserve.

SCHROEDER stated that based on the Working Group meeting, vegetation mapping will be done by other entities and may eliminate or reduce the need for vegetation mapping throughout the entire Preserve. That means we can shift money other on-the ground needs. The only way to know what the on-the-ground needs are is to have the Preserve Biologist there. Speaking for TOM TOMLINSON, McMillin Companies concurs with KILKENNY.

BECK stated he also concurs with KILKENNY.

TOMLINSON stated he was concerned with the title of Updated RMP since the RMP is a good policy document. The goal would be to refine that document.

WALLAR asked staff for clarification.

GODDARD stated the updated RMP would consider Otay Ranch Company's draft updated Phase 2 RMP which updates the exhibits and



figures based on development numbers within the City's jurisdiction; it would include all actions taken by the Policy Committee, the County Board of Supervisors, and Chula Vista City Council since the document was originally adopted. It would provide the historic background of the RMP. It would also include an implementation plan through ASMDs that would direct staff of the needs of the Preserve.

WALLAR stated that it may make sense to separate the Updated RMP and Preserve Biologist because they are currently lumped together and it appears that there are several pieces to it that don't really deserve to be lumped together.

GODDARD stated that it is important to keep in mind as MCNEELEY mentioned earlier that POM staff will need to review the numbers identify a true amount for possible roll-over.

WALLAR agreed and stated that it will be helpful if the different components of the Updated RMP and Preserve Biologist were separated. It will help in prioritizing a Preserve Biologist versus updating a document versus implementation.

GODDARD addressed the need for a cultural survey that KILKENNY brought up. The original RMP directed the first developer of each major parcel to complete cultural surveys for the entire parcel. Otay Ranch is comprised of the Otay Valley Parcel, the San Ysidro Parcel, and the Proctor Valley Parcel. Subsequently the County approved an amendment to the Otay Ranch RMP and General Development Plan/Subregional Plan that now directs if a developer processes a SPA in a major parcel, as a condition to the SPA, they will be required to complete cultural surveys on only those lands that they own. For example, for Village 13, Otay Ranch Company is proposing a SPA and as a condition of the SPA they will need to complete cultural surveys for all the lands they own in Proctor Valley. For the San Ysidro property, fee title has already been transferred to the County and the City. It wouldn't matter if there is any proposed development on the San Ysidro property because the County and the City already own it. Cultural studies are listed as a priority 1 task in the Short-term Implementation Plan and that is why we have it listed in the proposed spending plan.

WALLAR stated that she understood the pieces but that the PMT may not agree with the prioritization.

LUNDSTEDT stated that the City's MSCP Subarea Plan requires ASMDs. As development progresses in the City there have been associated conveyed lands. Plan work should not be duplicated and efforts should

not focus on updates that are already being addressed. For example, the Otay Ranch Company has submitted their ASMDs for their conveyed lands and that is where some of the work has already been done. The preserve biologist should not focus on that type of work. They could help POM staff on the technical side to supplement any appendices that need updating. Some ASMDs have already been drafted.

GODDARD stated that the \$100,000 would be used to draft ASMDs for the entire preserve.

LUNDSTEDT stated that when lands are conveyed, if they are through the City, the City will require that ASMDs be completed for those lands.

WALLAR stated that more discussion and clarification is needed of staff. The Updated RMP/Preserve Biologist proposed line item needs to be separated and clarified.

HALBERT stated that the POM shouldn't move forward on the tasks especially because they are in a priority order without knowing what the revenue stream is going to look like for the rest of the year. HALBERT stated that most of the clarification questions surrounded "Updated RMP/Preserve Biologist and the As-needed management and monitoring" proposed line items. HALBERT recommended that the PMT support items 1-6 on the PowerPoint (Surveying of an additional 286 acres of suitable CAGN habitat; Spring floral survey; Quino survey; Two additional Herpetological survey sessions; Cultural surveys San Ysidro parcel; and On-going biological surveys) and have staff come back with clarification on the "Updated RMP/Preserve Biologist and the As-needed management and monitoring" proposed line items.

WALLAR agreed.

MCNEELEY stated that staff will need to review the cost estimates to determine if those funds will actually be available by the end of the fiscal year to complete each task.

HALBER stated that he does not disagree with moving forward with all the tasks listed but understands the discomfort on the County's end of not having clarity on the "Updated RMP/Preserve Biologist and the As-needed management and monitoring" proposed line items.

HIMES stated that the first line item "Surveying of an additional 286 acres of suitable CAGN habitat" may be undertaken by the team of people on the Service's Bioteam. Susan Wynn would be able to give a definite answer on that.

GODDARD stated that Dudek was authorized to complete the surveying of the additional 286 acres of suitable CAGN habitat last year and that money has been committed to the existing contract.

LUCAS stated that Fish and Game also supported having a field biologist on the ground not doing RMP updates in front of a computer. Members of the NCCP are concerned about the lack of monitoring biologists on the ground in all the preserves so if that can be arranged for the Otay Ranch Preserve, it is of the utmost importance. The recommendation for the Preserve Biologist shouldn't be taken in isolation because the email that the Wildlife Service provided proceeded to list elements that have been proposed in the budget that they do not think are necessary for instance the gnatcatcher surveys that HIMES mentioned - not that the gnatcatcher surveys need to be completed, but that they may not need to be funded. In regards to the size of POM managed lands, 1,300 acres is a large amount of land that needs to be monitored and managed. That warrants any amount of money it takes to get a field biologist on the ground.

SCHROEDER asked the PMT to consider moving the Preserve Biologist up in the order of priority. There is a lot of work being completed in the region, having a Preserve Biologist out in the field would help in eliminating duplicative tasks and costs. It could solve many issues. The Preserve Biologist should not be updating the RMP but there is other work that can be completed. They can provide early warning for species at risk like the Cactus wren. In regards to the cultural surveys, it is listed as a priority 1 task in the Short-term Implementation Plan, however, on a practical standpoint, there is no proposed development in the area. Cultural surveys don't need to be completed until there is development proposed be it a staging area or a trailhead. It isn't necessary right now and on the ground management should be a higher priority. SCHROEDER asked that the PMT modify their recommendation.

WALLAR asked the group if they agreed with the two additional herpetological survey sessions.

HIMES stated that Susan Wynn spoke with Clark Winchell and Robert Fischer and they agreed that two additional survey sessions were needed.

HALBERT modified his recommendation to move Cultural Surveys down in priority below On-going biological surveys. The modified recommendation is to support 1) Surveying of an additional 286 acres of suitable CAGN habitat; 2) Spring floral survey; 3) Quino survey; 4) Two additional Herpetological survey sessions; and 5) On-going biological surveys. It sounds like even with a shortfall, the CFD should be able to

fund all the tasks. The Preserve Biologist would be providing the as-needed management and monitoring. Really there is \$160,000 for a Preserve Biologist in FY08-09. The POM would only need a fraction of that money. The question becomes, even if there is sufficient funds, should the cultural surveys still be completed. This should be discussed with the Working Group.

WALLAR supported the modified recommendation.

**(V.B)** MCNEELEY summarized the line items for the proposed FY09-10 budget. Administration totals \$126,025. Preserve Operation and Maintenance totals \$77,740. As a part of this cost, the Seasonal Park Attendant position is proposed to be converted to a Park Ranger position. If the POM does not receive an additional 700 acres by the middle of FY09-10, the Seasonal Park Attendant position will not be converted and the remaining funds may be reallocated to additional management or monitoring tasks (as-needed). Resource Monitoring Program totals \$267,500 for baseline surveys and on-going monitoring. A roll-over of \$60,000 is shown from FY07-08 to fund the existing contract with Dudek. A roll over amount of \$340,000 is shown from FY08-09 towards the Resource Monitoring Program. This roll over amount will be re-visited and updated accordingly. City Finance staff will run the numbers to determine the max tax to go out to levy for.

WALLAR asked if a City Council hearing date had been set.

MCNEELEY stated no.

WALLAR requested that a worst-case scenario budget be prepared in case the delinquency rate is higher.

MCNEELEY stated that one could be prepared.

BECK discussed the cost for the baseline survey and on-going monitoring. Crestridge has 3,000 acres and an annual budget of \$300,000. Ideally, the budget should be \$500,000. The budget includes work for restoration, survey work, and grant writing. The restoration efforts include grassland restoration and invasive removal. There are maintenance issues as the land has historically been abused. There is a difference between pristine land and those that need more attention. Crestridge will take 10 years before it can be assessed at an annual per acre cost to manage and monitor.

**(V.C)** MCNEELEY summarized the assumptions used on the 5-year budget forecast. At least 10 assumptions were used to prepare the

budget forecast table. These assumptions include 1) The number of taxable parcels will change as more development within Otay Ranch is completed or annexed into the district; 2) <sup>2</sup>The Average per parcel assessment is for illustrative purposes only, as parcel classification varies and effects each parcel's tax rate; 3) Revenue factors a delinquency rate of 8.16% to the levy amount. This will be reviewed as the second installment collection dates gets closer; 4) The Carry Forward Budget (Reserve) is equal to the funds remaining at the end of the previous fiscal year; 5) The Health of the Carry Forward Budget (Reserve) is equal to the fund balance over current year budget; 6) The actual interest earned for FY07-08 was \$18,905. For every FY after 07-08, it is assumed that the fund balance will earn \$15,000 in interest. The actual interest earned requires complicated calculations. \$15,000 is a conservative assumption; 7) The Operational Expenditures includes the cost of City/County Admin staff time, CFD consultant, Seasonal Park Attendant/Park Ranger salary, and Preserve equipment and improvement costs. The Seasonal Park Attendant position is proposed to be converted to a Park Ranger in FY 09-10. If the POM does not accept an additional 700 acres by the of middle of FY09-10, the Seasonal Park Attendant position will not be converted and the remaining funds may be reallocated to additional management or monitoring tasks (as-needed). The operational expenditures includes a cost of living adjustment; 8) Baseline surveys are one-time costs and are completed on newly conveyed lands. The cost of baseline surveys is calculated at \$225/ac. It is assumed that: 900 acres will be conveyed to the POM in FY09-10; 9) On-going biological surveys are annual biota monitoring costs on POM managed lands. The cost of on-going biological surveys is calculated at \$50/acre; 10) Additional Management/Monitoring Fund is a contingency fund that can be used on active management on POM managed lands or Preserve-wide biota monitoring efforts (minus those lands managed or owned by the federal or state government).

WALLAR cautioned the inclusion of a cost of living adjustment for operational expenditures. The County recently went through a fee increase process and an automatic cost of living adjustment was a point of contention for some of the Board of Supervisor members.

## **6. Proposed Policy Committee Agenda**

**(VII.)** GODDARD stated that the proposed Policy Committee Agenda is included as a handout.

HALBERT motioned to approve the Policy Committee Agenda.

WALLAR seconded the motion. Motion carried.

## **7. Next PMT Meeting**

**(VII.)** HIMES asked about the motion made regarding the spending plan for the remaining funds from the current fiscal year. There is a timing issue to get funds encumbered in a contract. HIMES asked when the issue would be revisited.

WALLAR stated that a single-purpose PMT meeting could be scheduled to avoid the timing issue. The meeting could be scheduled for one hour or less and the location determined based on PMT representative schedules.

**8. Adjournment**

**(VIII.)** Meeting was adjourned at 3:53pm.



# ATTACHMENT A

MEETING SIGN-IN SHEET	
<b>Project:</b> Otay Ranch Preserve Management Team Meeting	<b>Meeting Date/Time:</b> January 23, 2009, 2:00-4:00 pm
<b>Place/Room:</b> 276 Fourth Avenue, Building 300 (Public Services North) Human Resources Training Room Chula Vista, CA 91910	

Name	Organization	Phone	E-Mail
Cheryl Goddard	COSD - DPR	858-966-1374	
Trish Bore	COSD - DPR	858-966-1570	
Marisa Lundstedt	CCV	(619) 409-5922	mlundstedt@ci.chula-vista.ca.us
Tosie McNeely	CCV	(619) 49-5422	TmcNeely@ " "
AMY PARTOSAN	CCV	(619) 407-3599	
Rikki Schroeder	RMA Cons.	(760) 741-7462	rikki.mac3156@sbcglobal.net
Amber Himes	FWS	760-431-9440 x208	amber_himes@fws.gov
LeAnn Carmichael	COSD - DPR	8-694-8739	
Rob Cameron	Otay Ranch Co	234-4050	Rob@OTAYRANCH.COM
Bruce Hanson	EDAW	619-302-6960	bruce.hanson@edaw.com
Libby Lucas	CDFG	8-467-4230	elucas@cdfg.ca.gov
Kim Kilkenney	ORE	619-234-4050	kim@otayranch.com
Tom Tomlinson	McMillin	619 794-1304	TTomlinson@mcmillin.com
CHRIS NORLAND	OLE	760 918 8200	CNORLAND@HFC-CA.COM
Michael Beck	EHL		
LARRY DUKE	DPR	858-966-1363	